

# EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

MARK I. SOKOLOW, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 04cv397 (GBD) (RLE)
	)	
THE PALESTINE LIBERATION	)	
ORGANIZATION, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

**DEFENDANTS' OBJECTIONS AND RESPONSES TO PLAINTIFFS' FIFTH REQUEST  
TO PRODUCE DOCUMENTS AND THINGS BY ALL PLAINTIFFS  
(TO THE SOKOLOW PLAINTIFFS)**

Defendants The Palestine Liberation Organization ("PLO") and The Palestinian Authority ("PA") (collectively "Defendants"), by counsel, and pursuant to Rule 34 of the Federal Rules of Civil Procedure hereby respectfully submit their Objections and Responses to Plaintiffs' Fifth Request to Produce Documents and Things by All Plaintiffs and state as follows:

**PRELIMINARY STATEMENT**

1. Defendants' investigation and development of all facts and documents relating to this case is on-going. The objections and responses by Defendants to the Requests, therefore, are based only upon such information and documents as are currently known to Defendants. These objections and responses are made subject to, without prejudice to, and are not in waiver of, Defendants' right to rely on other facts or documents at trial or to supplement their objections and responses hereto.

2. The exact wording of any objections or responses contained herein may be that of Defendants' counsel and does not necessarily purport to be that of Defendants.

the definitions or instructions applicable to the Request, or that the Defendants agree with the characterizations of the conduct, activities, or relationships contained in the Request or in the definitions or instructions applicable to the Request.

6. Publically available documents including, but not limited to, documents equally accessible and available to Plaintiffs from other sources will not be produced, except for documents produced as part of Defendants' disclosures under Rule 26(a)(1) of the Federal Rules of Civil Procedure.

### **GENERAL OBJECTIONS**

1. Defendants object to the Requests to the extent that the definitions or instructions set forth therein seek to impose requirements for production beyond those contained in the Federal Rules of Civil Procedure and the Local Rules of this Court.

2. Defendants object to the Requests to the extent that they seek information protected from disclosure by the attorney-client privilege, the work-product doctrine, the joint defense privilege, the common interest doctrine, state secrets, deliberative process, or any other applicable statutory or common law privilege. With respect to those Requests to which Defendants do not specifically object and which seek the identification or disclosure of privileged information or documents, Defendants will identify such information and documents in the manner and to the extent required under Federal Rule of Civil Procedure 26(b)(5), the Local Rules of this Court, and Paragraph 6 of the Scheduling Order issued by the Court on June 24, 2011 (DE 131). Any inadvertent disclosure of privileged information shall not constitute a waiver of any applicable privilege.

3. Defendants object to the Requests to the extent that they seek information and documents that are not relevant to this action and are not reasonably calculated to lead to the discovery of admissible evidence.

4. Defendants object to the Requests to the extent that they are oppressive, overly burdensome, and/or would involve undue financial expense to Defendants. In addition, Defendants object to Requests that seek “all” documents when fully responsive and/or relevant information may be supplied with less than “all” documents.

5. Defendants object to the Requests to the extent they seek the identification, disclosure, or production of information or documents that are not within Defendants’ possession, custody, or control, or to the extent to which the Requests were intended or could be construed to impose a requirement and/or burden on Defendants beyond the requirements of the Federal Rules of Civil Procedure, to search for and/or produce documents or information possessed by a separate, non-party entity.

6. Defendants object to the Requests to the extent that they are vague or ambiguous or fail to describe the information or documents sought with sufficient particularity to allow for a meaningful response by Defendants. Accordingly, Defendants make no representation that the responses to be provided necessarily include the information intended by the Plaintiffs.

7. Defendants object to the Requests to the extent that the information and documents requested are equally accessible and available to Plaintiffs from other sources (including as a matter of public record) and that the production of such information by Defendants would entail unreasonable burden and expense to Defendants.

the PLO to Fatah” within “the meaning given that term in 18 U.S.C. § 2339A at the time or times to which the request[s] refer[s].”

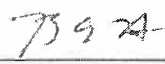
Defendants are producing the deposition transcript of Afif Safieh taken in the *Klieman* case in which the witness testified to the absence of any “provision of material support or resources by the PLO to Fatah” within “the meaning given that term in 18 U.S.C. § 2339A at the time or times to which the request[s] refer[s].”

Defendants further state that the deposition transcript of Yasser Shaqba’u taken in the *Saperstein* case and the Declarations of Steve Karadsheh and Mohammad Nashashibi produced in the *Saperstein* case indicate the absence of any material payments by the PLO to Fatah” within “the time or times to which the request[s] refer[s].” Defendants do not intend to produce copies of these documents because they understand that counsel for the Plaintiffs already has possession of these documents.

Defendants are available at a mutually agreeable date and time to conduct a meet and confer concerning Defendants’ Objections to Request No. 22.

May 29, 2012

Respectfully submitted,

  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 29th day of May 2012, a true and genuine copy of the foregoing was served by certified mail on the following:

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